

### REMARKS

The present amendment is submitted in response to the Official Action mailed February 2, 2001 in which Action, Claims 1-11 were indicated as being rejected on the art, with some formal matters needing attention as well. The present amendment is believed to satisfy each rejection. A Certified Copy of the British Application Serial No. 9922025.3 as required by 35 U.S.C. 119(b) is being submitted concurrently by a separate letter.

### THE SPECIFICATION

With respect to the specification, the abstract was objected to because of the use of the term "said" in two occurrences within the body of the Abstract. This term has now been deleted and the Abstract is now believed to be in proper form.

### THE CLAIMS

Claims 1-11 were rejected because of the use of the term "such as" followed by narrowing or constricting language. In this connection, Claims 1-8 were rejected because of the incorporation of the term "a woven fabric" followed by a more specific definition. The claims have been modified so as to define the item as "a woven fabric label", a definition considered consistent with the provisions of 35 U.S.C. 103.

Claim 3 has been modified to delete the use of the term "preferably".

In addition to the clarifying amendments indicated above, additional clarifying amendments have been made to a number of other claims including Claims 6, 9 and 11, with these amendments being made for clarification.

Turning now to the rejection based upon the art, Claims 1, 2, 4 and 6-11 stand rejected pursuant to the provisions of 35 U.S.C. 102(b) as being anticipated by Evers (4,766,301). It was indicated that Evers discloses a textile fabric with woven-in bar code information. In addition, it was indicated that Evers disclosed other features of a fabric comprising a bar code woven therein. Favorable consideration of these claims, particularly as amended, is requested.

As presented, the claims recite features which are neither expressed nor apparent in the Evers disclosure. In particular, the claims relate to the formation of a machine-readable code through the creation of an array of dots formed by yarns exposed on the surface of a ground weave. Evers, for example, describes an in situ arrangement which creates a bar code consisting of continuous elongated woven bars having edges created by the weaving process. These edges present a jagged

configuration with poor edge definition. In accordance with the present invention, the machine-readable code is formed by an array of properly configured spaced apart dots which are floated on the surface of a ground weave, with the array collectively defining the code. This, of course, is distinct and different from the ill-configured general weave pattern disclosed by Evers.

In addition to their added clarity, the array of dots forming the machine-readable code are accurately formed along a straight line pattern, and hence enhance the accuracy when read. Furthermore, the array of dots is created without adding to the complexity of the weaving process, inasmuch as the woven fabric labels of the present invention are prepared with techniques and equipment compatible with the underlying weaving process.

The features of the present invention are believed clearly set out in the language of each of the claims. In this connection, independent Claims 1 and 8 each recite the features of the introduction and creation of an array of dots on the surface of a ground weave, and with the array defining machine-readable codes. Neither the process nor the label articles are disclosed in Evers. Accordingly, favorable reconsideration of Claims 1, 2, 4 and 6-11 is requested.

Claims 3 and 5 stand rejected pursuant to the provisions of 35 U.S.C. 103(a) as being obvious over Evers ('301). It is acknowledged that Evers does not teach all of the limitations of Claims 3 and 5, inasmuch as Evers does not teach the utilization or creation of dots having the same size, or dots having a predetermined square configuration. As indicated hereinabove, Evers fails to teach the fundamental feature called for in Claims 3 and 5, that being the creation of a pattern of spaced apart dots on the surface of a ground weave. Given the advantages of this arrangement, as set forth above, taken together with the added enhancement of size similarity and square configuration, it is felt that Claims 3 and 5 should reasonably be found to be allowable. The features of dot size and dot configuration are advantageous, particularly in the creation of a dot pattern creating an array representing a code which may be accurately read by machine.

By way of summary and conclusion, therefore, it is believed that the claims as presently presented are distinct and different from the cited art, and as such,

provide advantageous results. Favorable reconsideration of each of the claims is accordingly requested along with an indication of allowance.

Respectfully submitted,

HAUGEN LAW FIRM PLLP

A handwritten signature in cursive script, appearing to read "Orrin M. Haugen".

Orrin M. Haugen, Reg. #17972

Attorney for Applicant

1130 TCF Tower

121 South Eighth Street

Minneapolis, MN 55402

Phone: (612) 339-8300